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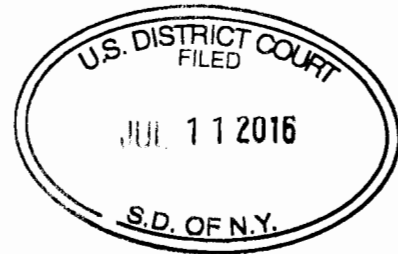
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Approved: KM

KARIN S. PORTLOCK  
Assistant United States Attorney

Before: THE HONORABLE FRANK MAAS  
United States Magistrate Judge  
Southern District of New York



UNITED STATES OF AMERICA

- v. -

MATTHEW BOMBACI,

Defendant.

SEALED COMPLAINT

**DOC #** \_\_\_\_\_

Violations of  
18 U.S.C. §§ 875(c),  
2261A

COUNTY OF OFFENSE:  
BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

THOMAS P. MACDONALD, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

**COUNT ONE**

(Transmitting Threatening Communications)

1. From in or about March 2016, up to and including June 2016, in the Southern District of New York and elsewhere, MATTHEW BOMBACI, the defendant, knowingly and intentionally did transmit in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, BOMBACI made postings on social media threatening to rape and kill a woman ("Victim-1").

(Title 18, United States Code, Section 875(c).)

**COUNT TWO**

(Interstate Stalking)

2. From in or about December 2015, up to and including in or about June 2016 in the Southern District of New York and

elsewhere, MATTHEW BOMBACI, the defendant, willfully, knowingly and with the intent to injure, harass, intimidate, and cause substantial emotional distress to a person in another State, and with the intent to place a person in another State in reasonable fear of the death of, and serious bodily injury to, that person, and a member of the immediate family of that person, did use an interactive computer service and a facility of interstate and foreign commerce to engage in a course of conduct that did cause substantial emotional distress to that person and did place that person in reasonable fear of the death of, and serious bodily injury to, that person and a member of the immediate family of that person, to wit, BOMBACI made telephone calls to, and social media posts regarding, Victim-1 and members of Victim-1's immediate family that caused Victim-1 substantial emotional distress, and placed Victim-1 in reasonable fear of the death of, and serious bodily injury to, Victim-1 and members of Victim-1's immediate family.

(Title 18, United States Code, Section 2261A.)

3. I am a Special Agent with the FBI in the Boston Field Office. I have been a Special Agent with the FBI for 16 years and have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law enforcement officers and agents, my interviews of witnesses, and my examination of documents, reports and other records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

4. I have spoken with Victim-1 and members of Victim-1's immediate family, listened to voice messages that they have received, and reviewed social media postings, from which I have learned the following:

a. Several years ago, when MATTHEW BOMBACI, the defendant, was in high school, he resided with the parents of Victim-1 for approximately six months at their home in another state (the "Home"). Due to BOMBACI's erratic behavior, among other reasons, Victim-1's parents asked BOMBACI to leave.

b. Since that time, BOMBACI has made calls to the Home on numerous occasions. Beginning in or around September 2015, the calls have become increasingly threatening in nature.

c. Victim-1 is a federal law enforcement agent at a particular law enforcement agency (the "Law Enforcement Agency") who works in the Southern District of New York. Victim-1 resides in the Bronx. She has never met BOMBACI.

d. In or about December 2015, Victim-1 learned that her parents had begun receiving threatening calls from MATTHEW BOMBACI, the defendant, to the Home.<sup>1</sup> Since in or about December 2015, BOMBACI has made approximately 17 calls to the Home in which he has harassed and threatened to kill and inflict serious bodily injury on Victim-1 and her parents. Those calls have included the following:

i. On or about May 17, 2016 at 9:16 a.m., BOMBACI left a message at the Home in which he yelled and used profanity and made several threatening statements. Among other things, he referred to Victim-1 by name and stated: "watch yourself, watch yourself bleed out until you['re] dead candy cane."

ii. Approximately ten minutes later, BOMBACI left another telephone message at the Home in which he stated with reference to Victim-1's father: "it's gonna be a semiautomatic or a revolver when I have it stuck to your head . . . as I squeeze one off, one shot, one kill." He then stated: "you licking [Victim-1's] or [Victim-1's sister's] cunt tonight you sissy, cunt, motherfucker, faggot."

iii. Approximately four minutes later, BOMBACI left another telephone message at the Home in which he mentioned Victim-1 by name and stated that he would "squeeze one off eight at a time, one shot, one kill, end of story." BOMBACI referred to the mother and father of Victim-1 by each of their names and referenced the body of Victim-1's father "after he dies."

iv. On or about May 29, 2016, BOMBACI left the following telephone message at the Home: "What if I were to say I'm gonna shoot your fucking daughter, [Victim-1], of the [Law Enforcement Agency] in the fucking head if I ever see her when I

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<sup>1</sup> Victim-1's parents have identified the voice on the calls as BOMBACI's.

have a gun. And if she has a fucking gun, I'm gonna chop scare [sic] her to her knees, steal her fucking broken .45, take it out of her fucking hands, and pistol whip her across the head."

e. BOMBACI has also made threatening posts on social media directed to Victim-1 and her immediate family, including the following:

i. On or about March 20, 2016, BOMBACI posted from his social media account: "Dear Mr. Presedant Obama, Please shut down the Portsmouth Naval shipyard. Either that or grant me a presidential parden as I shoot [Victim-1's father] dead as I rape his daughter [Victim-1] of the [Law Enforcement Agency]. Thank you . . . . Hope to hear from you soon."

ii. On or about June 15, 2016, BOMBACI posted again: "Fuck that shit. I am going to kill [Victim-1] instead Mr. P."

f. As a result of BOMBACI's harassment and threats, Victim-1 is fearful for her safety and that of her immediate family.

5. I have reviewed law enforcement reports regarding MATTHEW BOMBACI, the defendant, from which I have learned the following:

a. On or about June 17, 2016 BOMBACI was arrested in Mohave County, Arizona and charged with felony offenses unrelated to the conduct set forth herein.

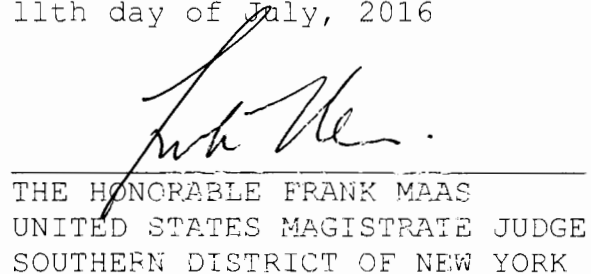
b. Upon arrest BOMBACI made the following statement to law enforcement: "I have threatened the life of [Victim-1] who is a [Law Enforcement Agency] agent!"

WHEREFORE, deponent respectfully requests that a warrant issue for the arrest of MATTHEW BOMBACI, the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.

Handwritten signature of Thomas P. MacDonald, with the initials "SA, FBI" written below it.

THOMAS P. MACDONALD  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this  
11th day of July, 2016

Handwritten signature of Frank Maas, with the text "THE HONORABLE FRANK MAAS" written below it.

THE HONORABLE FRANK MAAS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK